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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION

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UNITED STATES OF AMERICA,  
Plaintiff,  
vs.  
AARON MICHAEL SHAMO,  
Defendant.

Case No. 2:16-cr-00631-DAK  
UNITED STATES' TRIAL BRIEF  
Judge Dale A. Kimball

The United States of America, by and through its counsel, Michael Gadd, Special Assistant United States Attorney, Kent Burggraaf, Special Assistant United States Attorney, and Vernon Stejskal, Assistant United States Attorney, hereby files its Trial Brief.

**I**

**STATEMENT OF THE CASE**

**A. Indictment**

On October 18, 2018, a grand jury returned a second superseding indictment against Aaron Michael Shamo (Defendant), charging him as follows:<sup>1</sup>

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<sup>1</sup> See Doc. 136.

Count 1 alleges that beginning on a date unknown, but at least between July 8, 2015, and November 22, 2016, in Utah and elsewhere, the Defendant, Aaron Shamo, engaged in a continuing criminal enterprise (CCE) in violation of federal law.

Specifically, Count 1 alleges that the Defendant, Aaron Shamo, acting in concert with at least five other persons with respect to whom he occupied a position of organizer, supervisor, or manager, committed a continuing series of violations of the Controlled Substances Act, including the aiding, abetting, attempting, or conspiring to import, manufacture, distribute, and possess with intent to distribute, fentanyl and alprazolam, using the U.S. Mail in furtherance of these offenses. From such continuing series of violations, the Defendant obtained substantial income and resources.

Count 1 also alleges that the Defendant, Aaron Shamo, was a principal administrator, organizer, supervisor, or leader of the criminal enterprise which involved the possession with intent to distribute and the distribution of more than 12,000 grams (12 kilograms) of a mixture or substance containing a detectable amount of Fentanyl.

Count 2 alleges that on or about June 23, 2016, in Utah and elsewhere, the Defendant, Aaron Shamo, imported 40 grams or more of a mixture or substance containing the controlled substance Fentanyl into the United States from China.

Count 3 alleges that on or about November 8, 2016, in Utah and elsewhere, the Defendant, Aaron Shamo, imported the controlled substance Alprazolam into the United States from China.

Count 4 alleges that on or about November 16, 2016, in Utah and elsewhere, the Defendant, Aaron Shamo, imported 40 grams or more of a mixture or substance containing the controlled substance fentanyl into the United States from China.

Count 5 alleges that on November 22, 2016, in Utah, the Defendant, Aaron Shamo, possessed 400 grams or more of a mixture or substance containing the controlled substance Fentanyl with the intent to distribute that substance to others.

Count 6 alleges that between June 6 and June 13, 2016, in Utah and elsewhere, the Defendant, Aaron Shamo, distributed or aided and abetted in the distribution of the controlled substance Fentanyl, and that as a result a man with the initials R.K. died on June 13, 2016.

Count 7 alleges that on November 22, 2016, in Utah, the Defendant, Aaron Shamo, manufactured the controlled substance Alprazolam, by pressing it with other fillers into consumable pills.

Count 8 alleges that beginning on a date unknown, but at least between February 3 and November 22, 2016, in Utah, the Defendant, Aaron Shamo, held adulterated drugs for sale in that he manufactured pills to have the appearance of Oxycodone (bearing the markings "A 215"), but which contained the controlled substance Fentanyl and not Oxycodone, and the adulteration had a reasonable probability of causing serious adverse health consequences or death to humans.

Count 9 alleges that beginning on a date unknown, but at least between June 18 and November 22, 2016, in Utah, the Defendant, Aaron Shamo, held adulterated drugs for sale in that he manufactured pills to have the appearance of Oxycodone (bearing the markings "M" and "30"), but which contained the controlled substance Fentanyl and not Oxycodone, and the adulteration had a reasonable probability of causing serious adverse health consequences or death to humans.

Count 10 alleges that between September 12 and September 23, 2016, in Utah, the Defendant, Aaron Shamo, used, or aided and abetted in the use of the United States Mail in furtherance of a drug trafficking offense to facilitate the distribution of the controlled substance Alprazolam.

Count 11 alleges that beginning on a date unknown, but at least between December 22, 2015 and November 22, 2016, in Utah and elsewhere, the Defendant, Aaron Shamo, conspired with others to commit money laundering offenses.

Count 12 alleges that on or about November 8, 2016, in Utah, the Defendant, Aaron Shamo, engaged in money laundering by promotion and concealment by depositing \$2,700.00 into a credit union account which involved the known proceeds of the distribution of a controlled substance with the intent to carry on that distribution activity or knowing the transaction was to conceal the nature of the proceeds.

Count 13 alleges that on or about May 5, 2016, in Utah, the Defendant, Aaron Shamo, engaged or attempted to engage in a monetary transaction in criminally derived property of a value greater than \$10,000.00 by issuing a personal check from a Wells Fargo bank account to iDrive Utah.

Defendant was arraigned on the Second Superseding Indictment on October 30, 2018, and entered not-guilty pleas.<sup>2</sup>

#### **B. Trial Status**

A jury trial is scheduled to begin August 9, 2019, before the Honorable Dale A. Kimball, United States District Court Judge. The United States expects its case-in-chief to last approximately twelve days.

#### **C. Defense Counsel**

Greg Skordas, Daryl Sam, and Kaitlynn Beckett represent Defendant in this case.

#### **D. Custody Status**

Defendant is in custody pending trial.

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<sup>2</sup> Doc. 142.

**E. Interpreter**

The United States does not require the assistance of an interpreter for its case in chief.

**F. Jury Waiver**

Defendant has not filed a jury waiver.

**G. Pretrial Motions**

The Court has ruled on the pre-trial motions made by both parties. The Court left open the possibility of renewing objections by the United States to defense experts Kelly Shafto and Eric Wheeler. The United States has received Ms. Shafto's report and does not intend to renew its objection so long as Ms. Shafto's testimony concerns the opinions she gave in her report.

The defense has recently indicated it will not call Eric Wheeler as a witness.

**H. Stipulations not Contained on the Docket**

The parties have not reached any stipulations not covered on the docket, particularly the minute entry entered on May 17, 2019.<sup>3</sup>

**I. Discovery**

The United States has complied with its discovery obligations. To date, Defendant has not provided reciprocal discovery.

**II**

**SUMMARY OF ANTICIPATED EVIDENCE**

This case involves an international Drug Trafficking Organization (DTO), run by Aaron Shamo, which manufactured controlled substances, namely fake oxycodone pills made with Fentanyl and counterfeit Xanax tablets. The DTO distributed these controlled substances to other individuals for purposes of further distribution throughout the United States and elsewhere using

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<sup>3</sup> Doc. 219.

their storefront, “Pharma-Master,” on the Dark Net<sup>4</sup> marketplace AlphaBay and by using the U.S. Mail.

## **Overview**

By way of an overview, the organization began with collaboration between Shamo and Drew Crandall but quickly grew to include dozens of co-conspirators. Shamo and Crandall purchased pill tableting machines, sometimes called pill presses, dies and punches to mark pills so the markings would match those of legitimate pharmaceutical drugs, and inert pill ingredients, such as binding agents and colors. Some items, such as the binding agents and colors were purchased legally, and other inputs, such as Fentanyl and Alprazolam, were purchased and imported into the United States illicitly. To avoid detection, Shamo and Crandall had many of their inputs shipped to nominees or straw purchasers. Shamo and Crandall paid their nominees and straw purchasers for their assistance.

The inputs would then be pressed into pills that had the appearance of legitimate pharmaceuticals. The fake oxycodone-type pills and the counterfeit Alprazolam tablets were sold on the Dark Web at a significant profit. Once sold, Shamo and Crandall used co-conspirators to package the pills and ship the pills to Pharma-Master’s customers. From June 2015 through November 2016, Alexandrya Tonge and Katherine Bustin packaged pill orders, affixed shipping labels and postage to their packages, and (as the operation grew) passed off the packages to a runner—Sean Gygi—who would drop the packages off at post offices and blue boxes throughout

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<sup>4</sup> Dark Net sites operate on the Dark Web, which cannot be accessed without special software, and the Dark Net is a smaller part of the Deep Web. The Deep Web is an area of the internet not accessible using typical search engines like Google and accounts for approximately 96% of the internet. The Surface Web or Normal Web, on the other hand, accounts for just 4% of the internet. The majority of internet users are only familiar with the existence of the Surface Web.

the valley. Crandall trained Tonge and Bustin to use fictitious business names and addresses for return addresses on the packages of pills they filled.

Shamo also employed a co-conspirator, Mario Noble, to provide online customer support. In addition to corresponding with customers online, Noble would, at times, assist Shamo by building a daily order list that included customers' shipping addresses and the type and quantity of drugs purchased by each customer. Noble would send the daily order list to Tonge and Bustin using a secure email service that encrypted the messages. Noble stepped away from his role during September 2016, but returned shortly thereafter on a part-time basis.

Crandall, who had been travelling abroad since November 2015 after telling co-conspirators that Shamo was buying him out of their partnership, began again to actively work with the DTO in June of 2016; Crandall, like Noble, provided online customer support and processed orders.

The organization used encrypted communication apps to communicate with each other and relied on PGP encryption methods to communicate with customers. Members of the DTO frequently communicated on the mobile application known as Telegram. On July 8, 2015, Crandall created a dark web email account for Tonge and Bustin and then emailed instructions regarding PGP encryption to Tonge and Bustin. Crandall instructed Tonge and Bustin to delete the email, but a copy of the email was preserved and viewed by law enforcement.<sup>5</sup>

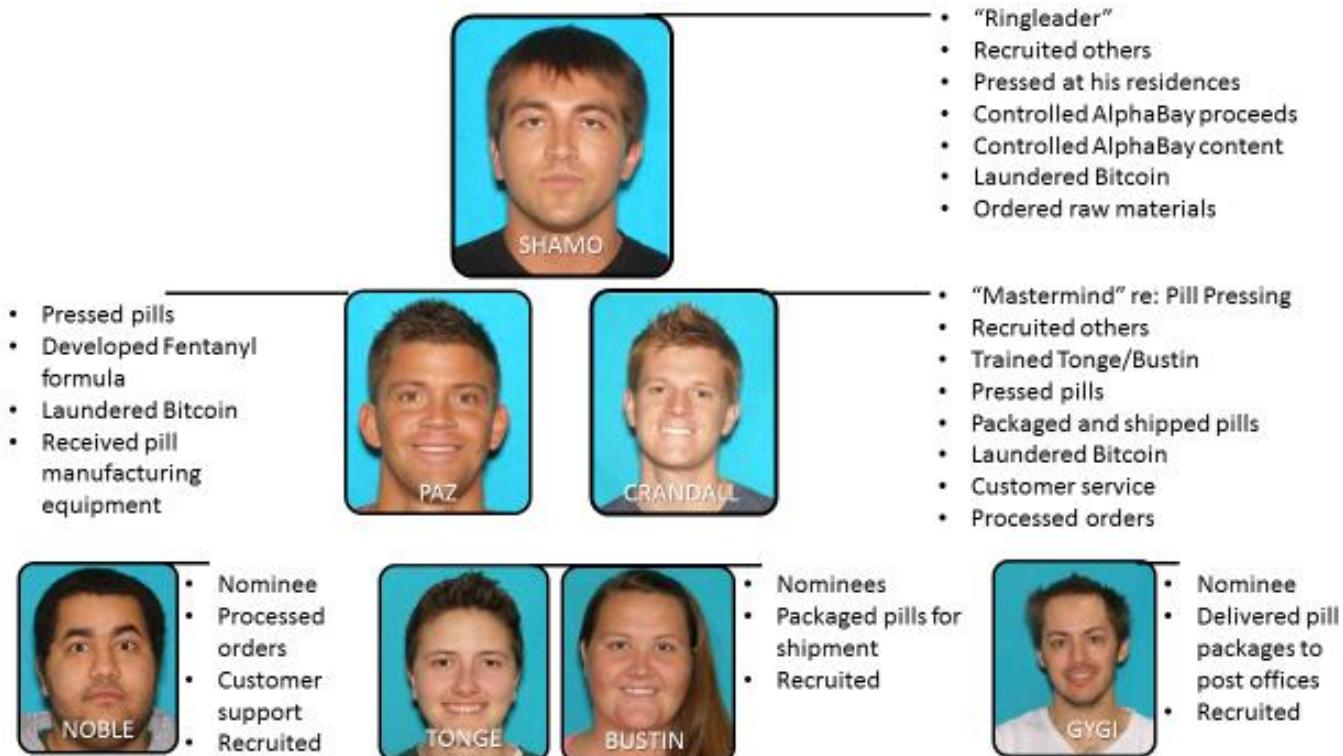
When Crandall left the United States in November 2015, Luke Paz began pressing pills with Shamo. Paz had previously served as a nominee/straw purchaser for the organization. Paz and Shamo developed the recipe for the Fentanyl-laced fake oxycodone pills sold by Pharma-

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<sup>5</sup>July 8, 2015, is the date by which the CCE crime alleged in Count 1 had begun.

Master on Alphabay. Paz continued to press pills for the organization until Shamo's arrest on November 22, 2016.

Sales on the Dark Web marketplace were conducted in Bitcoin, a decentralized virtual currency. Shamo, Crandall, and Paz expended a fair amount of effort converting their Bitcoins into fiat currency, which could be used to support their lifestyles and pay their co-conspirators, among other things.



The PHARMA-MASTER DTO included approximately 14 additional co-conspirators who held lesser roles in the organization

**Pharma-Master**

**1. Totals**

While investigators have recovered forensic evidence that shows Shamo and Crandall were selling drugs on Dark Net marketplaces prior to their sales on AlphaBay, the charges in the Superseding Indictment largely use dates and amounts connected with Pharma-Master's sales on Alphabay.



On November 11, 2015, Pharma-Master's storefront was registered on AlphaBay. Pharma-Master's storefront on Alphabay allowed customers to post feedback online. The feedback listed the price (in Bitcoin), type, quantity of pills purchased, as well as the date of the purchase. Investigators were able to determine the total revenue and total sales from the sales for which feedback was captured; the totals for the feedback-linked sales are as follows:

## Pharma-Master Feedback Totals

**Revenue:** \$2,817,520.93

**Total Items:** 872,659

**Total Transactions:** 5589

	<u>Total Orders</u>	<u>Total Quantity</u>	<u>Total Value</u>
<b>Fentanyl-laced Fake Oxycodone</b>	<b>3,491</b>	<b>458,946</b>	<b>\$2,472,040.73</b>
<i>sold as: M Box</i>	871	210,752	\$1,005,760.73
<i>sold as: Roxy</i>	2,244	242,985	\$1,417,272.82
<i>sold as: Fentanyl</i>	376	5,209	\$49,007.18
<b>Counterfeit Xanax</b>	<b>1,652</b>	<b>405,701</b>	<b>\$283,039.42</b>
<b>Adderall</b>	<b>87</b>	<b>884</b>	<b>\$8,971.26</b>
<b>Etizolam</b>	<b>105</b>	<b>3,930</b>	<b>\$3,830.85</b>
<b>Valium</b>	<b>75</b>	<b>2,010</b>	<b>\$2,172.50</b>
<b>LSD</b>	<b>82</b>	<b>694</b>	<b>\$3,734.53</b>
<b>Mephedrone</b>	<b>23</b>	<b>30</b>	<b>\$1,082.40</b>
<b>Cialis</b>	<b>25</b>	<b>250</b>	<b>\$368.85</b>
<b>MDMA</b>	<b>27</b>	<b>189</b>	<b>\$1,276.77</b>
<b>Ritalin</b>	<b>7</b>	<b>25</b>	<b>\$185.42</b>
<b>Custom Order</b>	<b>7</b>	<b>0</b>	<b>\$14,593.50</b>
<b>Express Mail</b>	<b>7</b>	<b>0</b>	<b>\$224.70</b>
<b>One Time Payment</b>	<b>1</b>	<b>0</b>	<b>\$26,000.00</b>
<b>Cancelled</b>	<b>23</b>		

\* Total Transactions Does Not Include Cancelled Orders\*

\*Fentanyl-laced Fake Oxycodone total is from M Box, Roxy, and Fentanyl combined into one result. These three categories were the three ways in which Pharma-Master advertised Fentanyl-laced pills for sale on Alphabay.

The figures above were calculated from positive feedback posted between Dec 15, 2015, and November 2016, when the storefront was shut down after Shamo's arrest. The cash value of the Bitcoin paid for the fake and counterfeit pills was determined based on the date of sale. The Bitcoin-to-US Dollar exchange rate has fluctuated significantly since 2015-2016. These figures

represent the United States' best efforts to conservatively calculate total sales and revenue. For example, they do not include any offline pill sales.

The Pharma-Master DTO engaged in a practice of shipping more pills than a customer ordered—as a way of engendering positive online customer feedback and to prevent customer complaints, which were labor-intensive to resolve. The true number of pills shipped is likely higher than these sales figures indicate.

The data from the feedback showed that Pharma-Master on AlphaBay sold Alprazolam as early as December 22, 2015, and Fentanyl-laced fake oxycodone as early as February 3, 2016.

## **2. Customers**

Pharma-Master sold drugs to both addicts and redistributors. For redistributors who bought large quantities, the price-per-pill would be lower than consumers who purchased one, ten, or even one hundred pills at a time.

One of Pharma-Master's largest customers, who went by the online handle "Trustworthy Money," was charged in the District of Oregon. Here is a picture of Jared Gillespie, aka "Trustworthy Money":



Trustworthy Money encouraged other Dark Web customers to buy from Pharma-Master.

In one online feedback post, Trustworthy Money wrote, “basic economics will tell u to put all your money back in to re-upping. don’t spend hella money[.] put all that shit back into pharmas pills cuz these will make u a millionaire under a year[,] guarantee[.]”

### **3. Drug Quantities**

#### **a. Fentanyl**

Some of the titles for Pharma-Master’s listings would alert potential buyers that the oxycodone pills for sale contained Fentanyl. Some of the titles of items listed for sale purported to be Oxycodone 30mg pills. None of the oxycodone-type pills seized during the investigation contained oxycodone; they have all contained Fentanyl. Seized oxycodone-type pills containing Fentanyl have born markings identical to genuine oxycodone pills, “A 215”, or “M” (with a box surrounding the letter) and “30” on the reverse side. Here is a picture that shows the top stamp for each of those two types of pills (Counts 8 and 9):



The fake oxycodone pills containing Fentanyl seized in this investigation weigh about what real 30mg Oxycodone pills weigh. The “Roxy’s”—those pills that were stamped A 215—weigh over 100mg per pill. The “M boxes”—those pills that were stamped with an “M” with a box around it on one side and a “30” on the other side—weigh slightly more than the Roxy’s. For ease of math and to give the benefit of small variation in weight from pill to pill to the defendant, each fake-oxycodone pill containing Fentanyl will be given a weight of 100mg for purposes of aggregation calculations. From February 2016 to November 2016, the Pharma-

Master DTO sold on AlphaBay 457,845 fake oxycodone pills containing Fentanyl. Those pills equal 45.785kg of Fentanyl.<sup>6</sup> During the search warrants on November 22, 2016, agents also seized bulk Fentanyl in powder form and thousands of pills held in inventory.

b. Alprazolam

From December 2015 through November 2016, the Pharma-Master DTO sold 405,801 counterfeit Xanax tablets containing Alprazolam. During the search warrants on November 22, 2016, agents also seized bulk Alprazolam in powder form and thousands of pills held in inventory.

**Use of U.S. Mail**

The out-going pill packages seized in the investigation all indicated, through postage or otherwise, that the DTO intended to send the packages through the U.S. Mail.

In September 2016, Tina Young called USPS to report that she received a package that was returned to her address but that she had not shipped. The package purported to be Jamaican coffee beans (a false business name consistent with one used extensively by Tonge and Bustin in connection with the shipment of controlled substances). Ms. Young did not drink coffee, so she gave the package to a co-worker. The co-worker opened the package the following day to start grinding the beans, but found counterfeit Xanax. Ms. Young requested a USPIS Inspector call her right away at her work—although Ms. Young said she did not know how long she would be at work because she feared someone would come to her residence looking for the drugs. (Count 10)

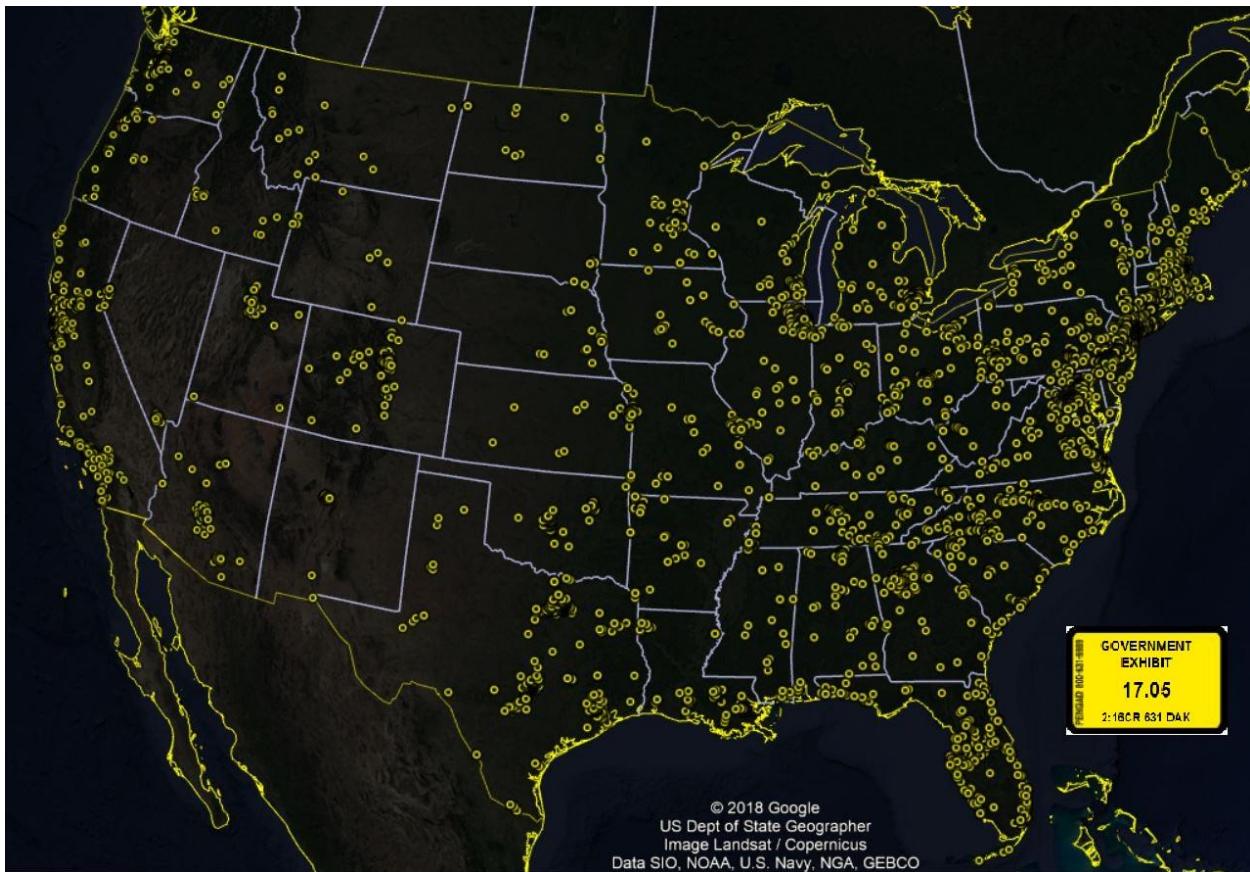
For reference, here are pictures of two of the USPS packages containing Fentanyl pills and Alprazolam pills seized during the investigation:

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<sup>6</sup> Fentanyl is measured as a mixture or substance under USSG 2D1.1.



From customer addresses recovered during the investigation, agents determined that Pharma-Master distributed drugs through the US Mail to every dot on this map:



Each dot is a destination zip code for the packages Pharma-Master sent to customers.

With some frequency, a zip code had several packages sent it to from Pharma-Master.

### **Search Warrants**

The active investigation of this case began when Customs and Border Patrol seized a package of Fentanyl addressed to one of Shamo's nominees, Ryan Jensen, in June of 2016 (Count 2). Agents later obtained a search warrant to search Jensen's residence. Jensen agreed to cooperate with the investigation. Jensen led agents to Sean Gygi.

Postal Inspectors seized on November 8, 2016, an inbound packages of alprazolam addressed to Sean Gygi (Count 3).

On November 17, 2016, a search warrant was executed at Gygi's residence; Gygi began cooperating with investigators. Gygi explained that he was in possession of an unopened package that belonged to the defendant. Gygi gave consent for the agents to seize the package, which contained Fentanyl (Count 4). Gygi explained he worked for Shamo by picking up packages from Shamo's shipping team and dropping the outbound packages off at Postal Service drop boxes throughout the valley.

On November 18, 2016, and again on November 20, 2016, Gygi accepted packages from Tonge and Bustin at the direction of the investigators. During those two days, the investigators seized more than 120 packages containing pills pressed with Alprazolam or Fentanyl. Gygi also recorded a conversation with Shamo at the agents' direction. The investigators applied for search warrants based upon probable cause that drugs and paraphernalia would be located in Shamo's residence and in Tonge and Bustin's residence.

On November 22, 2016, investigators executed the warrants at Shamo's residence and at Tonge and Bustin's residence. In Shamo's residence, investigators discovered a pill press running in a basement room, pills containing Fentanyl (Count 5), tablets containing Alprazolam, and three additional pill presses—one of which was still in a crate in the garage. The running pill

press was producing counterfeit Xanax tablets (Count 7). Investigators also seized \$1,227,773 in US currency from the home. Shamo, who had his gloves and mask in his pocket, was arrested.

Tonge and Bustin's residence yielded additional Fentanyl-laced fake oxycodone pills (also Count 5), counterfeit Xanax pills containing Alprazolam, packaging and shipping materials, and additional currency.

### **Crandall Overseas**

According to some co-conspirators, Crandall and his then-girlfriend fled the country in November 2015 because Crandall's girlfriend was spooked by some aspect of the conspiracy. From November 2015 until May 5, 2017, Crandall and his girlfriend lived abroad, touring through Asia and staying for months in New Zealand and Australia. Crandall and his girlfriend paid for their travel, at least in part, by using proceeds from the Pharma-Master DTO.

The day after Shamo's arrest, Crandall's girlfriend reached out to Noble—a friend and former co-worker—to enquire how he was doing. Noble did not respond. Crandall then took steps to erase his social media presence. Crandall alerted Alphabay that Pharma-Master had been compromised; the Pharma-Master storefront was shut down.

### **Death Resulting from Distribution**

#### **1. Daly City (Count 6)**

R.K. and his roommate, G.L., ordered Roxycodone pills from Pharma-Master in April 2016, and again on June 6, 2016. The June 6th order was for ten pills that Pharma-Master advertised as Roxy-Oxycodone. The June 6th order was processed and shipped out of Utah on June 9th. It arrived at R.K. and G.L.'s residence on June 11th.

On June 12, 2016, in the late evening, R.K. crushed and snorted two of the "Roxy" pills. R.K. and G.L. thought the pills contained Fentanyl.

R.K. began feeling the effects almost immediately. R.K. asked G.L. and G.L.'s girlfriend to check on him while R.K. laid down in bed. R.K. fell asleep shortly thereafter. G.L. rolled R.K. into the recovery position in an effort to prevent R.K. from asphyxiating should R.K. vomit during the night. G.L. went to sleep.

The following morning, R.K. was found dead in his bedroom.

The Coroner's report indicated R.K. died from multiple drug intoxication. R.K. had alcohol, cocaine metabolite, a cocaine cutting agent, and Fentanyl in his blood when he died.

A Forensic Toxicology Expert, Dr. Stacey Hail, reviewed the case and determined that R.K.'s but-for cause of death was the Fentanyl he ingested.

### **Cryptocurrency Seizures**

Agents have seized from various cryptocurrency wallets associated with the investigation approximately 513.15 Bitcoin, along with cryptocurrency that was created based on forks within the Bitcoin block chain including 512.93 Bitcoin Cash (BCH) and 513.15 Bitcoin Gold (BTG). With the stipulation of the defendants, the seized Bitcoin was sold at auction by the USMS in 2018 for \$5,357,950.38 in United States Currency.

### **Currency turned over by Paz**

During debriefs with agents in 2018, PAZ gave agents 30.811 in Bitcoin, \$671,030 USD, and \$134,960 USD. The cash and Bitcoin were proceeds from drug distribution through Pharma-Master.

### **Currency turned over by Shamo's parents**

Shamo gave more than \$429,000 USD to his family to hold on his behalf. Shamo's parents turned the cash over to investigators. Here is the cash seized from Shamo's parents:



### **Money Laundering Efforts**

As mentioned above, Crandall, Shamo, Paz and their associates spent a great deal of effort turning their Bitcoin into fiat currency. During the execution of a search warrant on his house on November 22, 2016, Shamo admitted to recently “unloading” Bitcoin. Agents seized over \$1.2 million in cash from Shamo’s house during the execution of the search warrant. Here is a picture of the cash seized from Shamo’s residence:



Trial Exhibits 14.00, 14.02, 14.03, and 14.20, all show efforts Shamo undertook to launder his drug proceeds from Bitcoin into dollars.

Shamo paid his co-conspirators in cash, gift cards, and Bitcoin for their work for Pharma-Master.

The image below, dated November 8, 2016, shows Shamo making a \$2,700 cash deposit into Crandall's bank account at an AFCU branch located in Cottonwood Heights, not far from Shamo's house. (Count 10) Shamo was depositing Crandall's past-due wages.

Digital Video Snapshot

Site: Cottonwood/Ctnwood

Camera Name: Teller 6

11/8/2016 11:49:29 AM (Mountain Standard Time)



In addition to the cash deposits into Crandall's AFCU account, there were at least three wire transfers from Bitstamp, a Bitcoin exchange company. The first wire transfer from Bitstamp into Crandall's AFCU bank account was in the amount of \$3,013 on April 19, 2016. The second wire transfer from Bitstamp into Crandall's AFCU bank account was in the amount of \$5,343 on August 4, 2016. The third wire transfer from Bitstamp into Crandall's AFCU bank account was in the amount of \$2,508 on September 22, 2016.

On another occasion, Shamo sent Sean Gygi \$7,500 worth of his Bitcoin—the Bitcoin was processed through a cryptocurrency exchange—and the funds from the conversion of Bitcoin into dollars were deposited into Gygi’s bank account at USAA. Shamo then had Gygi write a check to Shamo’s friend, M.P., who was an early investor in Shamo’s drug distribution efforts. Gygi was paid a fee for his assistance.

Alexandrya Tonge and Katherine Bustin both stated that they used Shamo and Crandall’s Bitcoin—transferred to a Bitcoin wallet under Tonge and Bustin’s control—to pay for postage to ship the drugs through the US Postal Service.

Both Shamo and Crandall used their bank accounts to pay postage.

Both Shamo and Crandall used their bank accounts to pay for various products purchased from the Tablet Press Club in Canada that were used to manufacture pills.

Shamo paid Sean Gygi \$4,000 cash per month to pick up and mail the pills that were ordered on Pharma-Master’s storefront.

Shamo and Crandall paid Alexandrya Tonge and Katherine Bustin each \$3,500 per month to process and package the pill orders.

Shamo paid Mario Noble \$3,000 per month for doing customer service on the Pharma-Master website, when he worked full time.

Shamo paid for all materials needed for the production and distribution of the illegal drugs which his organization was selling. The funds used to continue these activities were acquired through the illegal sale and distribution of drugs.

Shamo paid Paz a percentage of the proceeds for every pill sold.

#### **Money Laundering Spending: 18 U.S.C. 1957(a)**

On or about May 5, 2016, Shamo wrote a check out of his Wells Fargo Bank account

#4284 in the amount of \$14,000 to iDrive Utah in partial payment for a truck. (Count 11) iDrive Utah was part-owned by Shamo's friend and early investor, M.P. Shamo purchased the truck using drug proceeds.

### III

#### WITNESSES

The United States expects to call the following witnesses in its case-in-chief, but reserves the right to call fewer or more witnesses, as necessary.

1. Special Agent Ely Hebert, DEA
2. Officer Jaime Pimentel, CBP
3. Special Agent Christopher Amidan, DEA
4. Ryan Jensen
5. Jessica Gleave
6. Sean Gygi
7. Detective Josh Fife, WVC PD (formerly DEA TFO)
8. TFO Mike Hamideh, DEA (ret.)
9. SA Eric Breyer
10. Sgt. Cameron Thor, Park City PD (formerly DEA TFO)
11. TFO Jake Nattress, DEA
12. Special Agent Guy Gino, HSI
13. Katie Bustin
14. Alexandrya Tonge
15. Mario Noble
16. Drew Crandall
17. Jonathan Luke Paz
18. Tina Young
19. Special Agent Dave Slagle, HSI
20. Special Agent Adam Koeneman, HSI
21. Special Agent Dan Ashment, HSI
22. Intelligence Analyst Robin Biundo, HSI
23. Keith Chan, DEA Western Regional Laboratory
24. Danielle Farrell, DEA Western Regional Laboratory
25. Emily A. Oblath, DEA Western Regional Laboratory
26. Son Hoang, DEA Western Regional Laboratory
27. Frank Platek, FDA Forensic Chemistry Center
28. Nico Ranieri, FDA Forensic Chemistry Center
29. Adam Lanzarotta, Ph.D., FDA Forensic Chemistry Center
30. Heather McCauley, FDA Forensic Chemistry Center
31. Arthur F. Simone, M.D., Ph.D., FDA
32. Special Agent Jeff Bryan, DEA (ret.)

33. Special Agent Jeff Fletcher, IRS CI
34. Brennda Kurstin
35. Inspector J. Agster, USPIS
36. Inspector Andrea Brandon, USPIS
37. Inspector Lance Howell, USPIS
38. Special Agent Virginia Keys, FDA OCI
39. Inspector Megan Moore, USPIS
40. Tori Grace
41. Officer Sandra Sabins, Daly City PD
42. Thomas Wayne Rogers, M.D.
43. B.L. Posey, Toxicologist
44. Stacey L. Hail, MD, FACMT

**IV**

**EXHIBITS**

The United States has provided the defendant and the Court with a copy of its electronic exhibits. The United States' physical exhibits, including the drugs, will be available for inspection by counsel for the defendant during the week of August 5, 2019.

**V**

**APPLICABLE LAW AND ELEMENTS OF THE OFFENSES CHARGED**

On July 31, 2019, the United States filed its proposed jury instructions which contained the elements of each of the Counts facing the defendant. (Doc. 241)

**VI**

**CONCLUSION**

Should further issues arise, the United States will alert the Court at its earliest convenience.

Dated: August 5, 2019.

Respectfully submitted,

JOHN W. HUBER  
United States Attorney

/s/ Michael Gadd  
MICHAEL GADD  
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